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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,355	03/27/2001	Masanao Suzuki	FUSA 18.501	1188

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EXAMINER

LERNER, MARTIN

ART UNIT PAPER NUMBER

2654

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/818,355	Applicant(s) SUZUKI ET AL.	
	Examiner Martin Lerner	Art Unit 2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 to 22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 to 15 and 17 to 22 is/are allowed.
- 6) ☒ Claim(s) 1 and 16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/20/03 & 8/12/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

On page 9, line 4, "adoptive" should be ~~adoptive~~.

On page 26, line 4, "t0" should be ~~t0~~.

On page 64, line 24, "pith" should be ~~pith~~.

On page 68, line 11, ".,," should be ~~.,,~~, i.e. ~~.,,~~.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Morrison* in view of *Su et al.*

Morrison discloses a digital data transcoder, comprising:

"code separating means for separating, from the [voice] code based upon the first encoding method, codes of a plurality of components necessary to reconstruct a [voice] signal" – transcoder 200 comprises a decoder 204, which includes a

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demultiplexer 10 which decodes the received video signal encoded according to MPEG-1 ("the first encoding method") and demultiplexes the motion vectors from the signal (column 7, lines 1 to 13: Figure 2);

"dequantizers for dequantizing the codes of each of the components and outputting dequantized values" – the decoded signal is then passed to an inverse quantizer 12, which restores the levels of the decoded signal and then to an inverse DCT transformer 14 that restores the values of the decoded signals (column 7, lines 13 to 17: Figure 2);

"quantizers for quantizing the dequantized values, which are output from respective ones of said dequantizers, by the second [voice] encoding method to generate codes" – the uncompressed regular video signal 19 is input to an H.261 encoder, which comprises an encoder section 206 having a DCT processor 22 and a quantiser 23 (column 7, lines 30 to 34: Figure 4); quantiser 23 quantises the video signal according to an H.261 encoding standard ("the second encoding method");

"means for multiplexing the codes output from respective one of said quantizers and outputting [voice] code based upon the second [voice] encoding method" – multiplexer 24 multiplexes the video signal for transmission (column 7, lines 30 to 34: Figure 2).

The only element omitted by *Morrison* is that the code of the first encoding method and the second encoding method is a voice code for first and second voice encoding methods. *Morrison* discloses only that the code and encoding methods are for video encoding, and although video encoding generally includes an audio

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component for voice encoding, *Morrison* does not expressly suggest an application to encoding a voice code signal. However, *Su et al.* teaches conference bridge processing of speech in a packet network environment, where conference bridge 200 includes a decoder 230 and an encoder 232 for extracting parameters from multiple channels encoded by a variety of speech standards, and re-encoding the resulting speech samples for transmission back to participants. (Column 2, Lines 10 to 25; Column 4, Line 8 to Column 5, Line 11: Figure 2) The objective is to provide a practical packet-based conference bridge capable of handling speech channels that have been encoded by different techniques. (Column 4, Lines 19 to 28) It would have been obvious to one having ordinary skill in the art to apply the digital data transcoder of *Morrison* to a voice code for transcoding speech from a first voice encoding method to a second voice encoding method as taught by *Su et al.* for the purpose of providing a practical packet-based conference bridge capable of handling speech channels that have been encoded by different techniques.

4. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Vetro et al.* in view of *Baggen*.

Vetro et al. discloses an object based bitstream transcoder, comprising:

“code separating means for separating codes of a plurality of components necessary to reconstruct a[n acoustic] signal from the [acoustic] code that is based upon the first [acoustic] encoding method” – transcoder 600 includes a demultiplexer

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601; the demultiplexer 601 provides one or more elementary bitstreams to each of the object-based transcoders 800 (column 10, line 52 to column 11, line 4: Figure 6);

“code conversion means for converting the separated codes of the plurality of components to [acoustic] codes of the second [acoustic] encoding method” – transcoder 600 includes one or more object-based transcoders 800 to provide object data 607 to a transcoding control unit (TCU) 610; the transcoders 800 scale the elementary bitstreams (column 10, line 52 to column 11, line 6: Figure 6);

“means for multiplexing the codes output from respective ones of said code conversion means and outputting a[n acoustic] code that is based upon the second [acoustic] encoding method” – transcoder 600 includes a multiplexer 602; the scaled bitstreams are composed by multiplexer 602 before being passed to the output buffer 603, and from there to a receiver (column 10, line 52 to column 11, line 9: Figure 6).

Vetro et al. teaches transcoding between encoding standards for MPEG-4, MPEG-2, and H.263, and notes that objects can be visual, audio, or combinations thereof. (Column 1, Lines 45 to 48; Column 5, Lines 43 to 47; Column 6, Lines 33 to 39) Thus, *Vetro et al.* implies transcoding of acoustic codes from a first acoustic encoding method to a second acoustic encoding method. However, *Vetro et al.* omits: “code correction means for inputting the separated codes to said code conversion means if a transmission-path error has not occurred, and inputting codes, which are obtained by applying error concealment processing to the separated codes, to said code conversion means if a transmission-path error has occurred.” *Baggen* suggests a transmission system with an adaptive channel encoder and decoder for encoding

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speech with a transcoder and rate adapter unit (TRAU) 2, where, if a bad frame indicator (BFI) signal is received from a channel decoder 44, then speech decoder 48 is arranged for deriving a speech signal based on the previously received signal corresponding to the previous frame, or for performing more advanced error concealment procedures. (Column 8, Lines 29 to 46: Figure 1) Implicitly, if a bad frame indicator (BFI) signal is not received, then speech is decoded and encoded without error correction based upon a previous frame. A bad frame indicator (BFI) corresponds to detection of a transmission-path error. The objective is to provide a receiver with information about the quality of a signal so as to be able to decode a signal and prevent a loss of transmission capacity. (Column 1, Lines 41 to 55; Column 2, Lines 1 to 36) It would have been obvious to one having ordinary skill in the art to apply the error correction method of *Baggen* to the object based transcoder of *Vetro et al.* for the purpose of providing a receiver with information about the quality of a signal so as to prevent a loss of transmission capacity.

Allowable Subject Matter

5. Claims 2 to 15 and 17 to 22 are allowed.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to Applicants' disclosure.

Eyuboglu et al., Eifrig et al., and Fu et al. disclose related art.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (703) 308-9064. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML
10/12/04


Martin Lerner
Examiner
Group Art Unit 2654